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Notice of Allowability	Application No.	Applicant(s)	
	10/016,732	FALLON ET AL.	
	Examiner	Art Unit	
	Davetta W. Goins	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final amendment filed 07 September 2004.
2. ☒ The allowed claim(s) is/are 27-56.
3. ☒ The drawings filed on 11 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 27-56 are allowed.
2. The following is an examiner's statement of reasons for allowance: O'Connor et al. (US Pat. 5,958,054) discloses by a computer system 200 including an emulated UPS for ensuring delivery of a reliable power supply to the computer system 200 as well as a portable computer system 500 for receiving backup power supply via a serial port to an UPS emulation program 700 (col. 3, lines 36-60; col. 7, lines 53-67; col. 8, lines 40-51). The computer system 500 includes a power management chip set 538 as well as a real time clock 540 connected to the I/O controller 575 and the power management chip set 538 so that time events or alarms are transmitted to the power management chip set 538. The real time clock 540 is typically programmed to generate an alarm signal at a predetermined time (col. 7, lines 63-67; col. 8, lines 1-4). Quigley (US Pat. 6,583,720 B1) discloses an LED light that's illuminated upon power outage or low battery, a display in the form of an LCD display may indicate information to the consumer about the system; a buzzer 70 may be used to alert the user of the loss of electricity (col. 5, lines 1-41; col. 6, lines 53-65). Quigley also discloses a console 10 connected to a plurality of sensing devices such as an electricity sensor system 24; upon loss of electricity (power) the console will determine the predetermined period, set by the consumer, in which to activate the alarm (col. 6, lines 53-67; col. 7, lines 1-17). However, O'Connor et al., Quigley, nor any other prior art of record disclose separately or in combination the claimed programming the backup power supply through the computer software to disable the audible alarm on the backup power supply while the backup power supply is operational during at least a second predetermined time period.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAVETTA W. GOINS
PRIMARY EXAMINER



D.W.G.
January 3, 2005

Davetta W. Goins
Primary Examiner
Art Unit 2632